

**Bay Delta Conservation Plan  
Principals Meeting  
State Issues List  
August 9, 2010**

This document is organized into four broad, inter-related categories: 1) conservation strategy; 2) covered activities and regulatory approach; 3) implementation; and 4) EIR/EIS. *This is a master list of issues for consideration by principals, not a proposed sequence for addressing them.*

**Conservation Strategy**

1. Near-term water operations

- a. What are the near-term water operations (under existing infrastructure) conservation measures?
- b. How will sideboards of real-time operations be defined or characterized? What will be the scope and limits?
- c. What is the adaptive management range for water operations?
- d. What would be the process that would allow for changes in water operations?

2. Long-term water operations

- a. What are the long-term water operations (with new conveyance facilities) conservation measures?
- b. How will sideboards of real-time operations be defined or characterized?
- c. What is the adaptive range for long-term water operations?
- d. What would be the process that would allow for changes in water operations?

3. Habitat Restoration

- a. As informed by effects analysis, should adjustments be made to the habitat restoration targets (acreage, type, timing)?

4. Other Stressors

- a. As informed by effects analysis, are there “other stressor” actions proposed to be added to conservation measures?

5. Other Conservation Strategy Issues

- a. Goals & Objectives
  - i. Are they realistic and achievable as currently proposed?
  - ii. What are the appropriate metrics and criteria by which to measure progress?
- b. Adaptive Management
  - i. How will adaptive management be conducted and who will decide??
- c. Relationship of Conservation Measures to Covered Activities
  - i. Is the timing for implementation realistic? What projects are ready for implementation upon permitting?

## **Covered Activities & Regulatory Approach**

### 1. Covered Activities

- a. What is the size and configuration of water facilities needed to implement water operations conservation measures and meet water reliability needs?
- b. Should any “third-party” activities (e.g. agricultural diversions or flood related activities) be included in covered activities? What activities and to what extent? Who would pay and what is the third-party obligation?

### 2. Regulatory Approach

- a. What will be the nature of regulatory assurances under BDCP? (Sec. 7/Sec. 10, permit terms and changed circumstances)
- b. Should the SWP and CVP contractors receive take authorization under the BDCP?

## **Implementation**

### 1. Governance

- a. What type of entity implements and manages the plan?
- b. What is the role of DWR and Reclamation in implementing BDCP?
- d. What is the role of fish and wildlife agencies in implementing BDCP?
- c. What is the role of the JPA in implementing BDCP?
- d. What is the role of NGOs in implementing BDCP?
- e. How would independent science be integrated into the decision-making processes?

### 3. Cost & Funding

- a. How are costs allocated between direct beneficiaries and the public at large?
- b. How are costs allocated among beneficiaries?
- c. How are public costs allocated between the state and federal government?
- d. How will funding obligations be financed by and amortized for the authorized entities over the life of the BDCP?

## **EIR/EIS**

### 1. Purpose and Need Statement

- a. Should a new version be published?

### 2. Analysis of HCPs and NEPA

- a. What are the approaches to mitigation and other conservation measures to be analyzed in the EIS (e.g. evaluation vs. determination)?
- b. What is the range of alternatives currently under consideration?

### 3. Public Review and Comment

- a. Should the draft BDCP and draft EIR/EIS be released for public comment sequentially or concurrently?